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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VINCENT JOSE VASQUEZ,

Defendant.

CASE NO. 2:21-CR-0175-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: November 8, 2022
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 8, 2022.
2. By this stipulation, defendant now moves to continue the status conference until November 29, 2022, for a change of plea hearing, and to exclude time between November 8, 2022, and November 29, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has produced 72 pages of discovery and two cellular telephone extractions to Mr. Vasquez. One of the phone extractions is over 160,000 pages long.
 - b) The parties have reached a plea agreement in principle. However, additional time is needed to finalize the written plea agreement and for counsel for the defendant to meet

1 with his client to review the plea agreement. While it is anticipated that defendant will enter a
2 guilty plea on November 29, 2022, in the even he elects not to do so, the time needed for defense
3 counsel to meet with the defendant and review the contemplated plea agreement will be
4 necessary for defense counsel to discuss defendant's potential responses to the charges with him
5 and to otherwise prepare for trial.

6 c) Counsel for defendant believes that failure to grant the above-requested
7 continuance would deny him the reasonable time necessary for effective preparation, taking into
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of November 8, 2022 to November
15 29, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local
16 Code T4] because it results from a continuance granted by the Court at defendant's request on
17 the basis of the Court's finding that the ends of justice served by taking such action outweigh the
18 best interest of the public and the defendant in a speedy trial.

19 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
20 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
21 must commence.

22 IT IS SO STIPULATED.

23
24 Dated: November 4, 2022

PHILLIP A. TALBERT
United States Attorney

26
27 /s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney
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1 Dated: November 4, 2022

/s/ Hootan Baigmohammadi

Hootan Baigmohammadi

Counsel for Defendant

VINCENT JOSE VASQUEZ

6 **ORDER**

7 IT IS SO ORDERED.

8 Dated: November 4, 2022

Dale A. Drozd
UNITED STATES DISTRICT JUDGE